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### *The Institutions of Industrial Relations in Continental Europe*, by Paul Malles, Economic Council of Canada. Ottawa Research and Development Program of the Canada Department of Labour, 1973, 214 pp.

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[Aller au sommaire du numéro](#)

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## RECENSIONS

**The Institutions of Industrial Relations in Continental Europe**, by Paul Malles, Economic Council of Canada. Ottawa Research and Development Program of the Canada Department of Labour, 1973, 214 pp.

This volume is an extension and enlargement, as well as an updating, of Paul Malles' earlier book, *Trends in Industrial Relations Systems in Continental Europe*, which was published in 1969 as Study No. 7 of the Task Force on Labour Relations. The members of the Task Force showed good judgment when they selected Malles to do research on this subject. In addition to his obvious qualities of scholarship, he already had considerable background knowledge of European industrial relations systems and an understanding of the context in which these systems had evolved. He also had a unique capacity, flowing from his European origins and experience, to communicate in the language of virtually all the countries with which his study was concerned. Malles' research provided the Task Force with invaluable comparative material as it drew heavily on primary sources which, because of linguistic barriers, would have been inaccessible to other Canadian scholars.

There were important developments on the labour scene in the countries of continental Europe soon after Malles' Task Force study was completed. Signs of unrest began to appear in some of the countries that had long been considered as models of industrial stability. More research was clearly in order, not only to bring the facts up to date, but to examine the sources of strain. There was also need for an objective assessment of the European experiments in «industrial democracy» that seemed so attractive at a distance. Had Joint Works Councils, for example, achieved their aim? Could they improve industrial relations in the North American context?

It is indeed fortunate that the Economic Council of Canada agreed to second Paul Malles to the Research and Development Program of the Canada

Department of Labour to pursue his research in this area. The book that resulted, *The Institutions of Industrial Relations in Continental Europe*, is a significant contribution to the literature on comparative industrial relations.

The basic material for this book was drawn from primary sources, as was the case in the author's earlier study. By deliberately avoiding the use of jargon and keeping theoretical references to a minimum, Malles has made the results of his research accessible to a wide potential reading audience. The book contains valuable information for practical decision-makers in industrial relations as well as for scholars in this field.

The author undertook a monumental task in attempting to write a general reference work on the industrial relations systems of such a large number of countries (Austria, Belgium, Denmark, France, the Federal Republic of Germany, Italy, the Netherlands, Norway, Sweden and Switzerland). Realizing the need for some economy in the choice of subject matter, he decided to concentrate on «issues and problems that have also come to the force on the Canadian industrial relations scene and/or are likely to come under public discussion in this country.»

The material is presented in four broad chapters which in turn are systematically divided into a number of sections and subsections. The reader can thus return to items of particular interest after an initial overview of the subject. This is important in a work of this kind as the mass of details contained in this volume is difficult to absorb on first reading.

Chapter I, *The Parties of Interest*, begins with a statistical survey of the Continental European labour force and the changes that have taken place in its composition in the past decade. This is followed by a discussion of the origins and evolution of the major employer and labour organizations, the ideological influences that have affected their de-

velopment and their relationships and the growing role of government as a party of interest in industrial relations.

In Chapter II, **The Institutional Framework**, Malles deals with a combination of national international laws that have guaranteed European workers virtually universal freedom of association. He emphasizes the fact that the bargaining relationship in Europe is less constrained by legal provisions than is the case in North America. « There is no equivalent to the certification procedure, the statutory bargaining unit and the majority representation characteristic of Canada and the United States. »

However, some rather rigid structures and rules of procedure have emerged in practice. Chapter II discusses the process of centralization that led to the present system of negotiation at the national level between central labour and employer organizations. In spite of the fact that « wage drift » and other enterprise adjustments soon proved that « organization to organization » bargaining would not be a guarantee of economic stability, the generally peaceful relations between labour and management under this system became the wonder and envy of North American observers. (Ideological differences split the labour movement in France and Italy, making these countries notable exceptions to the industrial peace of the post-war period.)

Malles attributes some of the success of the system to the fact that central labour and employer organizations have played a role, through their representation on national planning bodies, in developing the social and economic policies that form an umbrella for their negotiations. But events of the late nineteen sixties were to prove that the system of « bargaining at the top » contained dangerous seeds of conflict. « Evidence began to accumulate that the preoccupation with macro-economic and long range concerns had pushed issues of vital interest to the individual, particularly at the enterprise level, into the background, while the effects of cumulative change in the structure of the economy and the labour force opened up new problem areas. »

Chapter III, **Industrial Conflict and the Public Interest**, deals with the efforts to reduce open conflict in labour-mana-

gement disputes. The reader will not be surprised to learn that the problem of defining and maintaining « essential services » in the public sector is not unique to North America. While freedom of association has generally not been questioned for public service employees in Europe these employees are subject to more restrictions than workers in private employment. Even where restrictions are not written into the law, they have been imposed in case of emergency. Sweden, with the most permissive provisions for public employees, passed ad hoc legislation in 1971 to bring an end to a civil service strike. A year later the government of Norway invoked compulsory arbitration for striking civil servants, under the provisions of existing legislation.

Most of the countries with which Malles was concerned make provision for the mediation of interest disputes although there are few legal restrictions on the right to strike. The parties themselves frequently write a no-strike obligation for the term of the contract into their collective agreement. The role of the Labour Courts in enforcing this « peace obligation » is the counterpart of our system of grievance arbitration. However Malles notes a particular problem in enforcing a peace obligation negotiated at the national level as « centralized bargaining cannot take into consideration the particular situations that exist or may develop within individual enterprises. » He also points out that there is not « the same inclination (even on the part of management) that there was in the 1950's and 1960's to see all absence of industrial conflict as an absolute good. »

This brings us to the subject matter of the fourth and final chapter, **New Problems and Approaches**, seen against the background of recent industrial unrest. The author draws our attention to « an unease about the future of industrial relations in all the European countries » but warns against exaggerating the problem. « It is not that the actual incidence of industrial disputes has been much higher recently than in the 1950's; it is rather that a period of very low incidence had raised the expectation that the institutions and procedures which apparently were highly successful in dealing with the problems

of that period could deal equally well with new and as yet not quite clearly perceived problems within the same institutional framework and with the same methods. »

It is becoming increasingly evident that the upward shift in decision making that is involved in organization to organization bargaining can result in serious alienation of the workers and an erosion of the union's influence on the individual. Union-management relations at the plant level are frequently non-existent under such a system. While Joint Works Councils, whether imposed by statute or voluntarily undertaken, may help to fill a vacuum in labour-management relations at the local level, Malles indicates that they have had little effect on the decision-making process at the level of the enterprise. Thus although they may appear as the epitome of industrial democracy when viewed at a distance, in practice they seem to have added nothing to the gains achieved by collective bargaining on the North American pattern.

Chapter IV also deals briefly with the question of worker participation on boards of directors, with various attempts at capital formation in workers' hands, and with recent experiments in the organization of work, notably those replacing assembly line operations with small production groups. These experiments are an interesting response to the problem of worker morale and are based on the theory that job satisfaction will bring significant productivity gains. In the final section, the author considers the impact of the multi-national corporation on industrial relations and the particular challenge this presents to the national and international labour movement. Could any topic be more relevant to current Canadian concerns ?

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**L'horaire variable de travail**, par Jean-François Baudraz, Montréal, Les Éditions d'organisation, Bordas-Dunod, 1971, 135 pp.

L'horaire flexible de travail constitue une pratique récente en matière d'amé-

nagement du temps de travail. Il se distingue des horaires conventionnels (fixes ou décalés ou spéciaux) en ce sens qu'il confie à l'employé la responsabilité d'utiliser sagement son temps à l'intérieur de sa journée de travail en dehors d'une période de temps bloqué. Au même moment où cette pratique s'installe progressivement dans les administrations et les entreprises, elle fait l'objet de nombreux articles et volumes décrivant ses aspects techniques et psychosociologiques. L'étude de Jean-François Baudraz s'inscrit dans ce courant. L'auteur nous fait part de ses observations et de ses réflexions sur le sujet, puisqu'à titre de conseiller il a eu l'occasion d'aider à l'introduction d'un horaire variable dans deux entreprises, celle de la Banque Cantonale Vaudoise à Lausanne et celle de Ciba-Geigy à Monthey. Pour bien situer ces deux expériences, l'auteur retrace l'idée de l'horaire variable, établit des distinctions entre ce type d'horaire et les horaires conventionnels. Il décrit ensuite les problèmes d'organisation du travail, du contrôle du temps-travail et de l'information des cadres et du personnel. Cette description constitue l'aspect technique de son étude. La deuxième partie qui se veut plutôt analytique porte sur une dimension qui intéresse la direction des entreprises et plus particulièrement les préposés à la gestion du personnel : c'est l'étude des avantages et des inconvénients de cette nouvelle pratique pour les individus et pour les entreprises. Pour l'individu, l'horaire variable facilite les déplacements en élargissant le choix des moyens de transport, diminue la tension nerveuse due à la peur d'arriver en retard, à la peur de ne pas disposer d'assez de temps pour s'occuper de ses affaires personnelles. Cette pratique accorde à l'individu une plus grande liberté d'action. Pour l'entreprise, c'est un moyen efficace de réduire les absences, les retards et les heures supplémentaires, d'améliorer le climat social. Par ailleurs, elle force les cadres à remettre en cause la conception qu'ils se font de l'autorité et de son exercice puisque l'horaire variable exige une plus grande délégation de pouvoir.

Cette pratique comporte aussi des inconvénients. On ne peut l'étendre pour le moment à toutes les entreprises ou à toutes les divisions d'une entreprise. Le calcul des heures de travail, s'il se fait